

### **REMARKS/ARGUMENTS**

The rejection presented in the Office Action dated October 31, 2007 (hereinafter Office Action) has been considered, and reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

In an effort to facilitate prosecution and without acquiescing to characterizations of the asserted art, Applicant's claimed subject matter, or to the applications of the asserted art or combinations thereof to Applicant's claimed subject matter, Applicant has amended independent Claims 1, 3, 8 and 9 to indicate that the pulse width of the clock signal is controlled while maintaining the frequency of the clock signal. These changes merely more explicitly state that which was already implicit in the claims, as evidenced by paragraph [0017] which defines the claimed pulse width as the duty cycle of a signal. Since changing a signal's frequency does not necessarily change the ratio of a signal's duty to rest cycles, the discussion of controlling the pulse width of a signal in the Specification is directed to changing the duty cycle at a maintained frequency. Therefore, these changes do not introduce new matter, and each of the pending claims is believed to be patentable over the asserted references for the reasons set forth below.

The teachings of U.S. Patent No. 5,745,848 to Robin (hereinafter "Robin") and of U.S. Patent No. 6,163,687 to Scott *et al.* (hereinafter "Scott") alone, or in combination, do not teach or suggest each of the claimed limitations. For example, neither of the asserted references teaches controlling the pulse width of a clock signal at a given frequency, as now explicitly claimed. Contrary to the assertion at page two of the Office Action, shifting the frequency of a clock signal is not necessarily equivalent to controlling the pulse width of the signal since the frequency could be shifted while the ratio of the duty to rest cycles would be maintained. While Robin teaches that the system clock signal is shifted from the standard frequency (Abstract), Robin does not teach that the pulse width of the clock signal is controlled as now claimed. Specifically, Robin teaches away from the claimed maintenance of the clock signal frequency by shifting the frequency of the clock signal. Moreover, Scott has not been asserted as teaching, nor appears to teach, controlling the pulse width of a clock signal as claimed. As neither of the asserted references teaches at

least these limitations, any combination thereof must also fail to teach such limitations. Thus, the § 103(a) rejection would be improper, and Applicant requests that the rejection be withdrawn.

In addition, dependent Claims 2, 4-7 and 10-17 depend from independent Claims 1, 3 and 9, respectively. Each of these dependent claims also stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the above-discussed combination of Robin and Scott. While Applicant does not acquiesce to any particular rejections to these dependent claims, including any assertions concerning descriptive material, obvious design choice and/or what may be otherwise well-known in the art, these rejections are moot in view of the remarks made in connection with independent Claims 1, 3 and 9. These dependent claims include all of the limitations of their respective base claims and any intervening claims, and recite additional features which further distinguish these claims from the cited references. "If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious." MPEP § 2143.03; *citing In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Therefore, dependent Claims 2, 4-7 and 10-17 are also believed to be patentable over the combination of Robin and Scott.

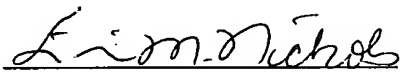
It should be noted that Applicant does not acquiesce to the Examiner's statements or conclusions concerning what would have been obvious to one of ordinary skill in the art, obvious design choices, common knowledge at the time of Applicant's invention, officially noticed facts, and the like. Applicant reserves the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

Authorization is given to charge Deposit Account No. 50-3581 (NKO.028.US) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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